

# COLUMBIA COUNTY PLANNING COMMISSION MEETING

April 2, 2018  
Meeting Minutes

Planning Commission Members Present: Paulette Lichatowich, Alta Lynch, Jeff VanNatta, bill DeJager, Claudia Frace

Staff Present: Hayden Richardson, Glen Higgins, Kay Clay, Deborah Jacob

Others: Daniel Webb, Ray Bartley – Betty Manley

The meeting was called to order at 6:30 p.m. by Jeff VanNatta

The pre-hearing statement was read at 6:30 by Hayden Richardson.

## **ZC 18-01 Terra LLC**

**No ex-parte declared.**

Hayden Richardson presented the staff report.

**Request:** For a Zone Change from Rural Residential (RR-5) to Single Family Residential (R-10) for a Parcel that is located in the Columbia City Urban Growth Boundary.

## **REVIEW CRITERIA**

### County Zoning Ordinance

Section 700 - Single-Family Residential (R-10)

Section 1500 - Transportation Impact Analysis

Section 1502 - Zone Changes

Section 1603 - Quasi judicial Public Hearings

Section 1608 - Contents of Notice

### County Comprehensive Plan

Part VI - Housing

Part XIII - Transportation

Part XIV - Public Facilities and Services

Part XIX - Natural Disasters/Hazards

**Background:**

The applicant, Daniel Webb for Terra, LLC, proposes a Zone Change for an approximate 13.8 acre property that is located within the Columbia City UGB. This property was brought into the City of Columbia City's Urban Growth Boundary by legislative amendment file number (PA 03-08) approved by the Columbia County Board of Commissioners. Currently this property is zoned Rural Residential (RR-5) and the applicant is requesting to rezone the 13.8 acres to R-10. According to the Columbia City Zoning map, this property will be zoned R-2 (General Residential) when annexed into the city. There is no development located on the subject property, nor does the approval of ZC 18-01 authorize any site development. The proposed Zone Change would allow the property owner to subdivide the 13.8 acre property into properties that are 1-acre in size, or smaller depending on the amount of facilities available at the time of subdivision. The immediate vicinity is mostly developed with single family residences including RR-5 zoned properties to the south, RR-2 zoned properties to the east and PF-80 zoned properties to the north and west. Prior to the issuance of building permits on the subject site, the County will ensure that adequate facilities and services are onsite for the intended single family use.

The subject property has existing access directly off of Chimes Crest Frontage Road, which is an Oregon Department of Transportation right-of-way. Fire and emergency services are provided to the site by Columbia River Fire and Rescue and the County Sheriff. The National Wetlands Inventory Map of St. Helens does not indicate that there are any identified wetlands on the subject property, however there is a seasonal drainage creek that runs through the southern portion of the property which currently has an existing culvert crossing from the southern portion to the northern portion of the subject parcel. The FEMA flood hazard map 41009C0340D shows that this property is not located within a flood hazard area. Although, there are steep slopes located on the western portion of this property. These slopes reach approximately 45% grade in some locations and will likely limit the future development on this portion of the subject property.

After reviewing the facts, findings and criteria staff recommends approval of ZC 18-01 with conditions

Comments from the Planning Commission: None

Hearing closed.

In Favor:

Daniel Webb, representing Terra LLC. Agrees with the staff report. There will be no immediate development and when there is, he is hoping for 1 acre lots and realizes he has to go through the subdivision process.

Ray Bartley & Betty Manley, no objections but is concerned about the road, there is a steep hill and it may make for a dangerous pull out to Hwy 30. The further up the hill you go the steep grade is not as bad.

Glen Higgins mentioned that this could add to some much needed housing in the UGB. They may be able to get city water and sewer but they would have to have an easement across the Manley property.

Jeff VanNatta pointed out that would depend on the city utility lines.

Opposition: None

Closed the public hearing.

Alta Lynch made the motion to approve ZC 18-01 with conditions, Linda Hooper seconded. All in favor motion carried. (Paulette Lichatowich, Alta Lynch, Jeff VanNatta, Bill DeJager, Claudia Frace)

Glen Higgins wanted to introduce the review for ADU's (Accessory Dwelling Units) in Columbia County.

**REQUEST:** Under Senate Bill 1051, as amended by House Bill 4034, Columbia County is authorized to amend provisions in the Zoning Ordinance establishing Accessory Dwelling Units (ADU) in single family residentially zoned properties which are located within Urban Growth Boundaries (UGB).

## **BACKGROUND & SUMMARY:**

### **Oregon Senate Bill 1051**

In the 2017-2018 legislative sessions, Oregon Senate Bill 1051 as amended by House Bill 4034 provided enabling legislation for related amendments to ORS 197.312, requiring counties with populations greater than 15,000 to accept building permits for all properties that are zoned for single family development and within Urban Growth Boundaries (UGBs) to develop "*at least one accessory dwelling unit for each detached single family dwelling*". Counties are also authorized to develop reasonable siting and design standards for these new accessory dwelling units.

Senate Bill 1051 as amended creates a series of provisions to simplify the process for the siting of affordable and higher density housing opportunities for cities and counties. Although primarily aimed at cities, Senate Bill 1051 includes provisions for siting accessory dwelling units for properties zoned for single family development that are outside city limits but inside an UGB.

Until annexed, the development of all properties within UGBs remain the responsibility of the county. There are six (6) Urban Growth Boundaries in Columbia County for the cities of Clatskanie, Columbia City, Rainier, Scappoose, Saint Helens and Vernonia. The proposed Amendments apply only to properties within these six UGB areas that are zoned for single family development and include the Single-Family Residential (R-10), Single-Family and Two-Family Residential (R-7) and Rural Residential (RR-5 and RR-2) Zoning Districts. These proposed Amendments will further implementation of the Comprehensive Plan's Housing Goal by providing county citizens with wider ranges of affordable housing units including additional:

1. Opportunities for the development of new housing units and supporting the rehabilitation of the existing housing units when feasible;
2. Residential land inside urban growth boundaries that reflect wider range of housing types, densities, and costs commensurate with the needs of county residents;
3. In-fill development by increasing allowable densities in urban service areas which may have excess public facility capacity or potential for cost efficient expansion.

The County Board of Commissioners initiated this Amendment at their May 2, 2018 Work Session and instructed staff to proceed with the process of drafting amendments to the Zoning Ordinance addressing Accessory Dwelling Units in Urban Growth Boundaries according to the legislative process prescribed by the Comprehensive Plan and Zoning Ordinance.

Proposed Amendments to Section 100 "General Definitions", Section 222 "General Provisions" and Section 221:"Accessory Dwelling Units" addresses local County standards specific to accessory dwelling units which are in addition to those applicable in individual zoning districts in which those uses are allowed. These standards incorporate State law requirements related to land use and add county reasonable siting and design regulations for increasing housing affordability, density and choices within Columbia County's six Urban Growth Boundaries. Findings justifying the proposed additional County standards are contained in the Findings of this report.

Discussion:

Alta Lynch wanted to know if the ADU's would only be allowed in the UGB only. Glen said at this time that is what is being allowed. The state of Oregon has defined what an ADU is and septic concerns. Anyone could now legalize an existing non-conditional use dwelling, ie: basement, addition, shop, and garage. Taxes would also be collected on ADU's.

Linda Hooper: For safety reasons it would be good if we could get everyone to be legal.

Paulette Lichatowich: Dog kennels were a similar situation, there was an incentive to be legal.

Alta Lynch: Many family rooms have already been converted.

Glen Higgins said there was a question if the owners would have to live there and there is always a question on how to police this.

Paula Lichatowich: Wanted to know how we can keep the taxes lower, would there be tax restrictions? We don't want to get like Portland and have high taxes on these.

Glen Higgins explained that we do not control the taxes, they are based on assessed value. We do want to keep it affordable and will try to work with them on the system development charges. R.V. are not considered an ADU.

Jeff VanNatta said there things to be considered. Can they be movable, do they have to be anchored, permit the foundation, height restrictions, and access to city facilities.

Linda Hooper: It's a good start and we can make modifications as we develop this process.

Alta Lynch: Why is only in the UGB zonings? Glen Higgins said that is what the state has approved to this point. They can get a non-conforming use to put a home in the RR2 & RR5 zones.

Paula Lichatowich: Do they have to meet setbacks too? Glen confirmed that setbacks would have to be met.

Glen just wanted to make the planning commission aware of what we are working on.

**Meeting adjourned 7:20 p.m.**